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3 May 1966

MEMORANDUM FOR THE RECORD

**SUBJECT: Meeting with Representative John E. Moss (D., Calif.)
Concerning the Heine v. Raus Case**

1. On Friday, April 29, Mr. Houston called Representative John E. Moss in response to the Congressman's conversation with the Director. Representative Moss indicated that he was concerned over the tactics used by the Agency in the Heine versus Raus case and advised that Mr. Norman Cornish, Staff Administrator, would be in contact with us later in the day to arrange a meeting with him for the first of the week.

2. Later in the day, Mr. Jack Matteson, Chief Investigator, Foreign Operations and Government Information Subcommittee, which is chaired by Representative Moss, called the undersigned and provided the possible times available for meeting with the Chairman on Monday, Tuesday, or Wednesday. After consultation with Mr. Houston, the undersigned met with Mr. Matteson and arranged for a meeting Monday morning, 11:00 a.m. with Representative Moss for Mr. Houston, [] DC/SR/CA, and the undersigned. Mr. Matteson advised that Mr. Cornish, probably Mr. Augliere, himself, and possibly others on the Committee staff would be standing by available to the Chairman but that no determination had been made as to which members, if any, of the staff would be in attendance.

3. On Monday, 2 May, 11:00 a.m., Mr. Houston, [] and the undersigned met with Representative Moss, Mr. Cornish, the Staff Administrator, Mr. Augliere, Mr. Matteson, and were joined after the meeting started by Mr. Romney who was introduced as Assistant General Counsel of the full Government Operations Committee. After the introductions were completed, Mr. Houston opened the meeting by advising that, in our judgment, it would be most helpful to review briefly the emigre movement as it relates to this case and that [] was present to provide this briefing. Mr. Moss advised that he didn't believe such a briefing would be at all

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helpful, that he was not interested in the emigre movement, that his concern was related to the Agency action of "the end justifying the means" and the setting up of a defense in court that would establish a precedent for denying an individual his day in court and his right to confront his accusers. [] provided a brief resume of the emigre movement.

4. As the meeting progressed, discussion was attempted by the Agency representatives as to the distinction that must be drawn between the Agency action in providing information to an agent for use in retaining control of an emigre group, and the use later of established legal precedent in support of a motion to dismiss an action brought against our agent; between precedents established by the Supreme Court of the United States and already on the books, and imposition of Federal or Executive power on an individual plaintiff; between the use of established court procedures in a court action, and authority of the Executive Branch; between the Department of Justice as the Government's prime legal office, and the CIA; between the responsibilities of the Central Intelligence Agency with regard to national intelligence, and those of the Federal Bureau of Investigation in internal security matters.

5. Although the discussion appeared to lead to some success or limited agreement and understanding as to the last item, (responsibility of the Agency and of the Department in internal security affairs) it did not have the effect of softening the Chairman's views or of educating the Staff Counsel or Staff Administrator.

6. As the meeting closed, Representative Moss requested Mr. Romney to pursue this matter either with Mr. Lanigan, the General Counsel, or by himself and report to him. Mr. Houston advised the Chairman that the undersigned would be available to work with the Chairman and his staff. Almost as an afterthought, the Chairman noted his personal feelings: "What may be indicated in the instance case is the need for a full-scale Committee investigation of intelligence activities with regard to such improper use of secrecy controls."

[]
Assistant Legislative Counsel

cc: C/SR ✓

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